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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

NICHOLAS THANOS, M.D.,	)	CASE NO. 3:15-CV-02514-JSW
	)	
Plaintiff,	)	<b>JOINT STIPULATION OF DISMISSAL</b>
	)	<b>WITH PREJUDICE AND <del>PROPOSED</del></b>
vs.	)	<b>ORDER</b>
	)	
BERKSHIRE LIFE INSURANCE COMPANY	)	
OF AMERICA, GUARDIAN LIFE	)	Hon Jeffrey S. White
INSURANCE COMPANY OF AMERICA,	)	
and DOES 1-50,	)	
	)	
Defendants.	)	

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

COME NOW Plaintiff Nicholas Thanos, M.D., by and through his undersigned counsel, and Defendants Guardian Life Insurance Company of America, and Berkshire Life Insurance Company of America, by and through their undersigned counsel, and, being all of the parties to this action, jointly stipulate and agree pursuant to Rule 41(a) of the Federal Rules of Civil Procedure that this action, and each and every count and claim asserted therein, be dismissed with prejudice, each party to bear their own costs, expenses and fees.

Respectfully submitted this 27 day of May 2016,

**RAY BOURHIS & ASSOCIATES**

By: /s/ Eric Whitehead  
Eric Whitehead

Attorney for Plaintiff NICHOLAS  
THANOS, M.D.

**MAYNARD, COOPER & GALE, P.C.**

By: /s/ John David Collins  
John David Collins

One of the Attorneys for BERKSHIRE LIFE  
INSURANCE COMPANY OF AMERICA  
and THE GUARDIAN LIFE  
INSURANCE COMPANY OF AMERICA

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: May 27, 2016

By: /s/ Eric Whitehead  
Eric Whitehead  
Attorney for Plaintiff  
Nicholas Thanos, M.D.

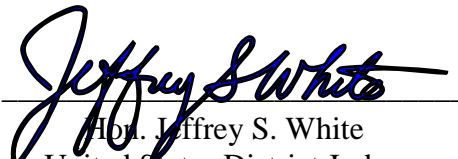
**PROPOSED ORDER**

Based on the parties' stipulation, IT IS SO ORDERED. The Clerk of the Court is directed to dismiss this matter with prejudice. All other existing dates and deadlines in this matter are hereby vacated.

IT IS SO ORDERED.

Dated: May 27, 2016, 2016

By: \_\_\_\_\_

  
Hon. Jeffrey S. White  
United States District Judge